

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK BARTELL, ET AL.,

Plaintiffs,

v.

COMMUNITY COLLEGE OF
PHILADELPHIA, ET AL.,

Defendants.

CIVIL ACTION

No. 2:19-cv-6056

CAROL STEIN, ET AL.,

Plaintiffs,

v.

COMMUNITY COLLEGE OF
PHILADELPHIA, ET AL.,

Defendants.

CIVIL ACTION

No. 2:19-cv-6057

MARGARET STEPHENS, ET AL.,

Plaintiffs,

v.

COMMUNITY COLLEGE OF
PHILADELPHIA, ET AL.,

Defendants.

CIVIL ACTION

No. 2:20-cv-1659

THOMAS J. QUINN,

Plaintiff,

V.

**COMMUNITY COLLEGE OF
PHILADELPHIA, ET AL.,**

Defendants.

CIVIL ACTION

No. 2:20-cv-1666

ORDER

AND NOW, this 24th day of February, 2022, upon consideration of the Motions to Dismiss Plaintiffs’ Amended Complaints by Defendants’ Community College of Philadelphia (the “College”) and the ten John and Jane Does (Dkt. 19-6056, Doc. No. 24; Dkt. 19-6057, Doc. No. 23; Dkt. 20-1659, Doc. No. 21; and Dkt. 20-1666, Doc. No. 22), Plaintiffs’ Memorandum in Opposition (Dkt. 19-6056, Doc. No. 25; Dkt. 19-6057, Doc. No. 24; Dkt. 20-1659, Doc. No. 22; and Dkt. 20-1666, Doc. No. 23), and Defendants’ reply (Dkt. 19-6056, Doc. No. 28; Dkt. 19-6057, Doc. No. 27; Dkt. 20-1659, Doc. No. 25; and Dkt. 20-1666, Doc. No. 26), it is hereby **ORDERED** that Defendants’ Motions to Dismiss are **GRANTED in part and DENIED in part**. The Motions are **GRANTED** as follows:

1. Plaintiffs' PHRA claim (Count III) against the John and Jane Doe Defendants is **DISMISSED with prejudice**. The Clerk of Court is directed to **TERMINATE** the John and Jane Does as defendants from this matter.
2. Plaintiff Bartell's Americans with Disabilities Act disability discrimination and failure to accommodate claims (Count IV of the Bartell Complaint) are **DISMISSED with prejudice**.

It is **FURTHER ORDERED** that Defendants’ Motions are **DENIED** as to Plaintiffs’ Age Discrimination in Employment Act (“ADEA”) and Pennsylvania Human Relations Act (“PHRA”) age discrimination claims based on disparate treatment against the College (Counts I and III).

BY THE COURT:

/s/ *Mitchell S. Goldberg*

MITCHELL S. GOLDBERG, J.